

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments is courteously solicited.

Initially the undersigned would like to thank Examiner Nguyen for the courtesies extended during an oral hearing held with the undersigned on October 12, 2003. During the above noted oral hearing, the outstanding official action was discussed in detail. As reflected in the Examiner Interview Summary Record, proposed claim amendments were submitted to the Examiner for her consideration. The proposed claims, as indicated by the Examiner, appeared to overcome the prior art of record. The Examiner, however, did indicate that she would reserve the right to research and reconsider upon submission of a formal claim amendment.

Applicant by the instant amendment submits for the Examiner's consideration newly amended independent claim 1 which was discussed at the above noted oral hearing. It is submitted that independent claim 1 patentably distinguishes over the prior art of record for the reasons set forth hereinbelow.

Claim 1 as amended now sets forth the following:

“... wherein the shape-forming region of the shaping stem and the counter-stem at least partially superimpose on each other for clamping the film member therebetween, and further including means for moving the shaping stem and counter-stem in the same direction while clamping the material during at least a portion of the shape forming of the at least one recess...”

Amended independent claim 1 and the claims which depend therefrom clearly define over the cited prior art references.

WO 99/08857 discloses a device for forming indicia on the base of a blister pack after the recess is formed in the blister pack. The '857 document does not suggest the subject matter of independent claim 1.

Japanese document 10-121558 does not teach, suggest or render obvious the subject matter of independent claim 1. Elements 25a,b and 26a,b are punching means for forming holes 27 and star sections 28 in a blister pack. These elements are not superimposed at least in part with the shaping stems. Nor is the film material clamped between the shaping stem and either one of the elements 25a,b and 26a,b during the formation of the recess. U.S. Patent 4,225,553 is a metal drawing process and constitutes non-analogous art. In addition, the '553 document does not overcome the deficiencies noted above with respect to either of the previously discussed prior art documents. In light of the foregoing, it is submitted that all of the claims as presently pending patentably define over the art of record and an early indication of same is respectfully requested.

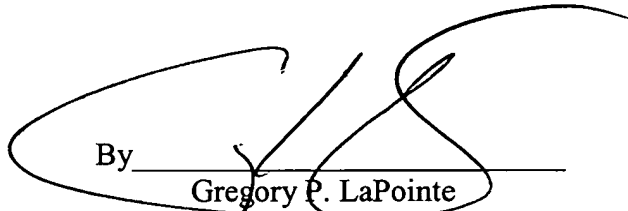
An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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Date: October 22, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on October 22, 2003.


Rachel Piscitelli